

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of
STROBEL et al.

Examiner: Kamal A Saeed

Application No.: **10/073,160**Art Unit: **1626**Filed: **February 13, 2002****TELEFAX CERTIFICATE**Title: **Acylated Indanyl Amines and Their Use
as Pharmaceuticals**I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-
1450, at 703-273-0025, onDate of Transmission **10-12-06**Signature Mail Stop: Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**FAX RECEIVED****OCT 12 2006****OFFICE OF PETITIONS****PETITION TO WITHDRAW APPLICATION FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2);
AND REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(a), Applicants hereby petition for the withdrawal of the above-identified application from issue, and include the requisite fee of \$130.00 under 37 C.F.R. § 1.17(h). Applicants submit that withdrawal from issue is required to ensure proper consideration and acknowledgement by the Examiner, on the record, of related applications to the instant application. A good faith attempt was made to bring the aforementioned related applications to the attention of the Examiner in a paper submitted on October 19, 2005, at page 17, of Applicants' response (Applicants' remarks attached as Appendix A). Applicants in conducting a last check of the instant application before issuance realized that Examiner's response had failed to indicate that said related applications had been considered.

In support of Applicants' petition, concurrently filed herewith is a Request for Continued Examination (RCE), as required under 37 C.F.R. § 1.313(c)(2), that includes requisite fee of \$790.00 and an Information Disclosure Statement (IDS) (submission) listing the related applications to have such related applications properly considered and acknowledged on the record.

10/13/2006 CKHLOK 0000006 181982 10073160

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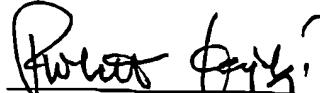
Information Disclosure Statement (IDS)

Applicants submit herewith an IDS to request on-record acknowledgement and consideration the listed applications that include similar subject matter (*i.e.*, are in the same technical field) as the instant patent application.

If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3115.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,



Robert J. Kajubi
Registration No. 55,312
Attorney for Applicants

Dated: October 12, 2006

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-3410
Telefax: 908-231-2626
Docket No. DEAV2001/0004 US NP

PTO/SB/21 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031
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FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

11

Application Number

10/073,160

FAX RECEIVED

Filing Date

February 13, 2002

OCT 12 2006

First Named Inventor

Hartmut STROBEL et al.

Art Unit

1624

Examiner Name

Kamal A Saeed

OFFICE OF PETITIONS

Attorney Docket Number

DEAV2001/0004 US NP 1

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment/Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Reply to Missing Parts/
Incomplete Application
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
 Landscape Table on CD

- After Allowance Communication to TC
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
 Request for Continued Examination 1449 form

Remarks

* PETITION TO WITHDRAW APPLICATION FROM ISSUE
 UNDER 37 C.F.R. § 1.313(c)(2);
 AND REQUEST FOR CONTINUED EXAMINATION

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	sanofi aventis U.S. LLC		
Signature			
Printed name	Robert J. Kajubi		
Date	October 12, 2006	Reg. No.	55,312

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. 571-273-0025 ; Total No. of Pages Transmitted: 11)

Signature

Typed or printed name

Paul Irvine

Date

October 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.